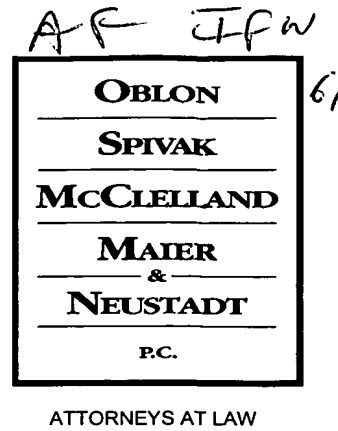




Docket No.: 3295-0024-0 CONT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



RE: Application Serial No.: 09/121,300
Applicants: Bruce G. KANIA
Filing Date: July 23, 1998
For: GEL AND CUSHIONING DEVICES USING THE
GEL
Group Art Unit: 3738
Examiner: Willse, D. H.

SIR:

Attached hereto for filing are the following papers:

Declaration Under 37 CFR § 1.132 (Executed)

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Norman F. Oblon

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DOCKET NO: 156753US0CONT (3295-0024-0-CONT)

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
ARBOGAST, ROBERT E., ET AL. : EXAMINER: WILLSE, D. H.
SERIAL NO: 09/121,300 :
FILED: JULY 23, 1998 : GROUP ART UNIT: 3738
FOR: GEL AND CUSHIONING DEVICES :
USING THE GEL

DECLARATION UNDER 37 CFR § 1.132

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Now comes Bruce G. Kania who declares and states that:

- (1) I am an amputee, and I am the sole inventor of the invention now claimed in the above-identified application.
- (2) I have read the specification of the above-identified application, and the currently pending claims.
- (3) The polymeric material utilized in the above-identified application, as exemplified for example in the Examples of the above-identified application, is substantially nonporous to air and water.
- (4) Prototypical cushion liners according to the above-identified application made with substantially nonporous polymeric material can be inflated with air and, once sealed, can hold air.
- (5) A prototypical cushion liner according to the above-identified application made with substantially nonporous polymeric material, which is capable of

Appl. No. 09/121,300

being stretched, typically has a distal radius of 3/4" - 4" or whatever is somewhat undersized for the wearer, and is donned by rolling the cushion liner onto the amputation stump with stretching.

- (6) It has been my experience that, after exercise, when I remove a liner according to the invention the interior can be wet from perspiration, but the exterior is dry.
- (7) One of knowledge in this area would thus understand that the cushion liners of my invention, as described, are inherently configured to contact the skin when worn and are substantially nonporous to air and water. While this was counterintuitive for an amputation covering, it provides excellent results.
- (8) The undersigned declarant further declares that all statements made herein are of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.
- (9) Further, deponent saith not.

Bruce G. Kania
Typewritten Name

Bruce G. Kania
Signature

6-10-04
Date